GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Estt.,-Rural Water Supply & Sanitation–Sri G.Jagadeesha Prasad, Typist, Mandapeta, Rural Water Supply & Sanitation Division., Rajahmundry, East Godavari District and Smt. Ch. Parvathi Devi, Typist, Rural Water Supply & Sanitation Division, Rajahmundry, East Godavari District appointed on compassionate grounds – Failure to acquire required qualification within a stipulated period – Relaxation of Rules – Orders –Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT [ESTT.II] DEPARTMENT

G.O.RT.No. 224 **Dated: 25-02-2019**

Read the following:-

1. G.O.Rt.No.969, G.A.[Ser.A] Dept., dt.27.10.1995.
2. GOMs.No.151, GA(Ser.A) Dept., dt:22-06-2004.
3. Lr. No. OP.I/RWS&S/Relaxation/2012, dt. 3.4.2012 received from the Special Officer, O/o Engineer-in-Chief, RWS&S, Hyd.
4. Govt. Memo No.9031/Estt.II-A/2012-5, PR&RD (E.II.A) Deptt., dt. 13.10.2012 and reminders on 13.5.2013 & 10.12.2013.
5. From the ENC, RWS&S, Hyd. Lr. No. OP-I/RWS&S/697/2012, dt. 15.1.2014.
6. Govt. Memo No. 9031/Estt.II-A/2012-5, PR&RD (E.II.A) Deptt., dt. 24.2.2014.
7. From the Hon'ble APAT interim orders dt:14-5-2014 in O.A.No.3235/2014 filed by Sri G.Jagadeesha Prasad, Typist, RWS&S Sub-Division, Mandapeta and another.
8. Orders, dt. 5.9.2018 of the Hon'ble APAT, Hyd, in O.A. No. 3235/2014 filed by Sri G.Jagadeesha Prasad, Typist, RWS&S Sub Division, Mandapeta and another.

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ORDER:-

In the reference 3rd read above, the Special Officer, O/o the Engineer-in-Chief, Rural Water Supply & Sanitation, Hyderabad has submitted proposals in respect of (1) Sri G. Jagadeesha Prasad, Typist, Mandapet, Rural Water Supply & Sanitation Division Rajahmundry and (2) Smt. Ch. Parvathi Devi, Typist, Rural Water Supply & Sanitation Division, Rajahmundry, for relaxation of rules for regularization of services, as they failed to acquire the requisite qualification within the stipulated period as per rules.

2. In the reference 4th read above, the Engineer-in-Chief, Rural Water Supply & Sanitation, Hyderabad as well as both the individuals were requested to furnish the reasons for not getting the qualifications in time and efforts made by them to obtain the same in time, to Government for taking further action.

3. In the reference 6th read above, the Engineer-in-Chief, Rural Water Supply & Sanitation was informed that the explanations of Sri G. Jagadeesh Prasad, Typist, Mandapet, Rural Water Supply & Sanitation Division Rajahmundry and Smt. Ch. Parvathi Devi, Typist, Rural Water Supply & Sanitation Division, Rajahmundry which were received vide reference 5th read above were examined and found that the reasons putforth by them are not convincing and sufficient to consider for relaxation of rules in their favour. He was also informed that as per para 6 of G.O.Rt.No.969, General Adminstration [Ser.A] Department, dt.27.10.1995, if the candidate concerned fails to acquire the requisite Educational or Typewriting qualifications even within the extended grace period, then the said candidate may be considered for appointment to a lower post such as an Attender where such Educational or Typewriting qualification is not prescribed, as a fresh candidate after obtaining the willingness of the candidate. If the candidate is not willing to take the lower post it shall be treated that there are no compelling reasons of poverty and such candidate be discharged from service and directed to take necessary

action as per the instructions issued at para 6 of G.O.Rt.No.969, General Administration [Ser.A] Department, dt.27.10.1995.

4. In the reference 7th read above, the Hon'ble Andhra Pradesh Administrative Tribunal, in its interim orders, in O.A. No.3235/2014 filed by both the individuals, i.e. Sri G.Jagadeesha Prasad, Typist, Rural Water Supply & Sanitation Sub Division, Mandapeta and Smt. Ch. Parvathi Devi, Typist, Rural Water Supply & Sanitation Division, Rajahmundry, East Godavari District, suspended the Government Memo. in the reference 6th read above, with a direction to continue the applicants in the same posts i.e. Typists, till further orders.

5. In the reference 8th read above, the Hon'ble Andhra Pradesh Administrative Tribunal, vide orders dt.5.9.2018 in the said O.A. has held that "since both the applicants acquired the requisite qualifications within few months of five years period and as on the date of filing of this OA and since both the applicants acquired the requisite educational as well as technical qualifications, this Tribunal is of the opinion that without insisting on technicalities, both the applicants should be permitted to work as Typists instead of following the procedure under GOMs.No.969. In the result, the OA is allowed setting-aside the impugned Govt. Memo. No.9031/Estt.IIA/2012-5, dt.24.2.2014 of PR&RD (E.IIA) Department, and directing the respondents to continue both the applicants as Typists."

6. After examining the matter and taking into consideration of the orders of Hon'ble Tribunal in the reference 8th read above, Government hereby decided and agreed to (i) relax the rule(6) of the G.O. 1st read above, in favour of Sri G.Jagadeesha Prasad, Typist, Mandapeta, Rural Water Supply & Sanitation Sub Division, Rajahmundry, East Godavari District and Smt. Ch. Parvathi Devi, Typist, Rural Water Supply & Sanitation Division, Rajahmundry, East Godavari District, for delay in acquiring educational / technical qualifications (i.e. (1) Sri G.Jagadeesha Prasad acquired technical qualification (Typewriting Higher both Telugu and English) belatedly by 1 year 6 months and 4 days. (2) Smt. Ch. Parvathi Devi acquired both educational qualification (B.A. Degree instead of Intermediate) by 1 year 3 months and 15 days and technical qualification (Typewriting Higher both Telugu and English) by 1 month and 13 days), who were appointed conditionally on compassionate grounds, (ii) continue both the individuals as Typists and (iii) regularize their services w.e.f. the date of acquiring qualifications fully in terms of GO 2nd read above.

7. The Engineer-in-Chief, Rural Water Supply & Sanitation, AP, Vijayawada shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADEH)

DR. K. S. JAWAHAR REDDY,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief (FAC), Rural Water Supply & Sanitation, A.P., Vijayawada.
The Superintending Engineer, Rural Water Supply & Sanitation, Kakinada

Copy to:-

The Individuals through Engineer-in-Chief (FAC), Rural Water Supply & Sanitation, A.P., Vijayawada.
The Pay and Accounts Officer, A.P., Vijayawada.
The OSD to Minister [PR, RD and IT&C]
P.S. to Principal Secretary to Government [PR&RD]
Sc/Sf.

//FORWARDED:BY ORDER//

SECTION OFFICER